

MAIL STOP PCT *IPW*

Docket No. 286166US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Rosario LIZIO, et al.

SERIAL NO: 10/572,963

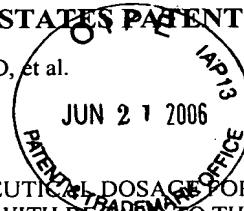
JUN 21 2006

GAU:

FILED: March 21, 2006

EXAMINER:

FOR: MULTILAYER PHARMACEUTICAL DOSAGE FORM CONTAINING A SUBSTANCE THAT ACTS IN A MODULATORY MANNER WITH REGARD TO THE RELEASE OF ACTIVE SUBSTANCES



INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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| Form PTO 1449 (Modified) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY DOCKET NO. 286166US0PCT | SERIAL NO. 10/572,963 | | |
|--|----|--|------------|---------------------------------|--------------------------|-----------|----------------------------|
| LIST OF REFERENCES CITED BY APPLICANT | | APPLICANT Rosario LIZIO, et al. | | | | | |
| | | FILING DATE March 21, 2006 | | GROUP | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
| | AA | 6 322 819 | 11/27/2001 | BURNSIDE, Beth A. et al | | | |
| | AB | 5 508 040 | 4/16/1996 | CHEN, Chih-Ming et al. | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION YES | NO | |
| | AJ | 199 56 486 | 6/21/2001 | DE | | NO | |
| | AK | 1 213 015 | 6/12/2002 | EP | | NO | |
| | AL | 0 463 877 | 1/2/1992 | EP | | NO | |
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| | AN | 0 122 077 | 10/17/1984 | EP | | NO | |
| | AO | 0 123 470 | 10/31/1984 | EP | | NO | |
| | AP | 0 436 370 | 7/10/1991 | EP | | NO | |
| | AQ | 00/19984 | 4/13/2000 | WO(with English abstract) | | NO | |
| | AR | 00/74655 | 12/14/2000 | WO | | NO | |
| | AS | 1 064 938 | 1/3/2001 | EP | | NO | |
| | AT | 01/13895 | 3/1/2001 | WO | | NO | |
| | AU | 01/37815 | 5/31/2001 | WO | | NO | |
| | AV | 01/58433 | 8/16/2001 | WO | | NO | |
| OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
| | AW | | | | | | |
| | AX | | | | | | |
| | AY | | | | | | |
| | AZ | <input type="checkbox"/> Additional References sheet(s) attached | | | | | |
| Examiner | | | | Date Considered | | | |
| *Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

U.S. PCT Application Serial No: 10/572,963

Filed: March 21, 2006

Rosario LIZIO, et al.

Docket No. 286166 US



STATEMENT OF RELEVANCY

- 1) References AA, AJ & AK have been cited in the International Search Report. A copy of these references is being submitted herewith.
- 2) References [redacted] have been cited in the corresponding [redacted] Search Report. A copy of these references is being submitted herewith.
- 3) References AB, AL - AV are discussed in the specification. A copy of these references is being submitted herewith.
- 4) References [redacted] are additional prior art known to Applicant. A copy of these references is being submitted herewith.



Docket No.: 286166US0PCT

Serial No.: 10/572,963

**LIST OF RELATED CASES CITED BY
APPLICANT UNDER 37 CFR 1.56**

Inventor: Rosario LIZIO, et al.

Filing Date: March 21, 2006

Group:

LIST OF RELATED CASES

| Examiner <u>Initial</u> | Docket No. | Serial or <u>Patent Number</u> | Filing or <u>Issue Date</u> | Patent App. <u>Publication No.</u> | Inventor or <u>Applicant</u> |
|----------------------------|---------------|-----------------------------------|--------------------------------|---------------------------------------|---------------------------------|
| | 286166US0PCT* | 10/572,963 | 03/21/06 | | LIZIO, et al. |
| | 282276US0PCT | 10/564,096 | 01/11/06 | | LIZIO, et al. |
| | 286088US0PCT | 10/573,019 | 03/22/06 | | LIZIO, et al. |

Examiner

Date Considered